



#9
396.40193X00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: NINOMIYA et al.

Serial No.: 09/874,276

Filed: June 6, 2001

For: PROCESS FOR PRODUCING A POLYOL

Group: 1621

Examiner: A. Siegel

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**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §1.97 AND §1.98**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

June 16, 2003

Sir:

Pursuant to Applicant's duty of disclosure, enclosed please find a copy of a European Search Report, and documents cited therein, in connection with a European Patent Application corresponding to the above-identified application. Also enclosed is a Form, substantially equivalent to a Form PTO-1449, listing the enclosed documents.

The above-identified application has already had a first Office Action on the merits issued in connection therewith. In addition, a Notice Of Allowance was apparently issued on January 31, 2002, in connection with the above-identified application; however, such Notice Of Allowance was never received in the offices of the undersigned, and a Petition was submitted on July 18, 2002, to withdraw a holding of abandonment in the above-identified application, this Petition being based

on failure to receive the Notice Of Allowance. Accordingly, based on the above facts, it is respectfully submitted that there is no pending Notice Of Allowance in connection with the above-identified application, such that at present the above-identified application is in the status described in 37 C.F.R.1.97(c). Based thereon, the following Statement is made under 37 C.F.R. 1.97(e)(1):

Each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

In any event, even if the above-identified application is in a status under 37 C.F.R. 1.97(d), it is respectfully submitted that present submission of this Information Disclosure Statement satisfies requirements thereof, based upon the following. Thus, applicants incorporate herein the Statement under 37 C.F.R. 1.97(e)(1) set forth previously herein. Moreover, if the fee under 37 C.F.R. 1.17(p) is necessary based upon the above-identified application being in a status under 37 C.F.R. 1.97(d), applicants respectfully request that the fee under 37 C.F.R. 1.17(p) be charged to the Deposit Account of the undersigned, that is, Deposit Account No. 01-2135 (Case 396.40193X00).

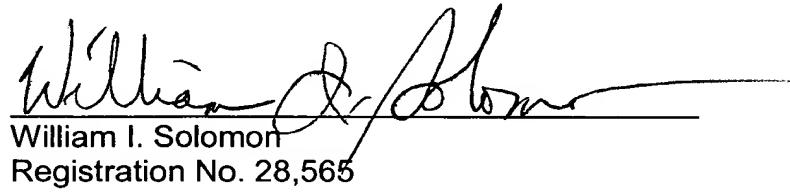
To the extent that the enclosed documents are not in English, it is respectfully submitted that requirements of 37 C.F.R. 1.98(a)(3) are satisfied by the English-language abstract and/or the enclosed European Search Report citing relevant passages of the document.

In view of the foregoing, it is respectfully submitted that all applicable requirements of 37 C.F.R. 1.97 and 1.98 have been satisfied, in connection with present submission of the enclosed documents. Accordingly, consideration of the enclosed documents, prior to issuance of a U.S. patent based upon the above-identified application, is respectfully requested.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (396.40193X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP



William I. Solomon
Registration No. 28,565

Attachments
WIS:nbf

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

<p>Substitute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(use as many sheets as necessary)</i></p> <p>Sheet 1 of 1</p> <p>JC3437003</p>				<p>Complete if Known</p> <table border="1"> <tr> <td>Application Number</td> <td>09/874,276</td> </tr> <tr> <td>Filing Date</td> <td>June 6, 2001</td> </tr> <tr> <td>First Named Inventor</td> <td>NINOMIYA et al.</td> </tr> <tr> <td>Art Unit</td> <td>1621</td> </tr> <tr> <td>Examiner Name</td> <td>A. Siegel</td> </tr> </table>		Application Number	09/874,276	Filing Date	June 6, 2001	First Named Inventor	NINOMIYA et al.	Art Unit	1621	Examiner Name	A. Siegel
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Examiner Signature _____ **Date Considered** _____

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

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